

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INTERVAL LICENSING LLC,

Plaintiff,

v.

AOL, INC., et al,

Defendants.

LEAD CASE NO. C10-1385 MJP

SCHEDULING ORDER

This order refers to:

C11-708 MJP, C11-711 MJP,
and C11-716MJP

Having reviewed the parties' joint status report, the Court sets the following deadlines as to the '652 and '314 track of this case:

Event	Date
Interval to provide defendants with list of open discovery issues	July 20, 2012
Serve supplemental preliminary infringement contentions on any new claims added during reexamination and new accused products	July 20, 2012
Source code for 652/314 products already	August 1, 2012

1	accused made available for review and meet	
2	and meet and confer to discuss making source	
3	code available for newly identified 652/314	
4	products	
5	Defendants respond by this date to the items	August 4, 2012
6	on Intervals list of open discovery issues, with	
7	any meet and confers soon after	
8	Serve supplemental non-infringement	August 17, 2012
9	contentions	
10	Meet and confer as to whether supplemental	August 24, 2012
11	claim construction expert reports are	
12	necessary	
13	Any new terms selected for claim construction	August 24, 2012
14	Preliminary claim chart	August 31, 2012
15	Joint claim chart and prehearing statement	September 14, 2012
16	Serve supplemental claim construction expert	September 21, 2012
17	report on any new issues, if necessary	
18	Opening briefs on claim construction	October 5, 2012
19	Response briefs on claim construction	October 26, 2012
20	Markman hearing	November 9, 2012 at 10:00 AM
21	Motions related to discovery issues	January 31, 2013
22	Close of fact discovery	March 1, 2013
23	Opening expert reports on all issues	March 29, 2013
24	Rebuttal expert reports due	April 26, 2013
	Joint status report to address trial issues	May 3, 2013
	Close of expert discovery	May 17, 2013
	Dispositive motion deadline	June 7, 2013
	Settlement conference per Local Rule CR	July 19, 2013
	39.1(c)(2) held no later than	
	Mediation per Local Rule CR 39.1(c)(3) held	August 16, 2013
	no later than	
	All motions in limine must be filed by and	August 23, 2013
	noted on the motion calendar no later than the	
	second Friday thereafter	
	Agreed pretrial order due	September 6, 2013
	Trial briefs, proposed voir dire questions,	September 20, 2013
	proposed jury instructions, and trial exhibits	
	due	
	Objections to demonstratives, trial exhibits,	October 4, 2013
	depositions designations	
	Pretrial Conference	October 8, 2013 at 2:30 PM
	Trial Date	October 15, 2013

1 If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or
2 federal holiday, the act or event shall be performed on the next business day. These are firm
3 dates that can be changed only by order of the Court, not by agreement of counsel or the parties.
4 The Court will alter these dates only upon good cause shown: failure to complete discovery
5 within the time allowed is not recognized as good cause.

6 The Court DENIES Defendants' request to file a motion for summary judgment prior to
7 claim construction. No such deadline is imposed and the Court will not entertain motions for
8 summary judgment on indefiniteness prior to claim construction. The parties should note the
9 Court has added a deadline by which all discovery-related motions must be submitted. The
10 proposed order did not have such a deadline. The deadline is January 31, 2013.

11 The clerk is ordered to provide copies of this order to all counsel.

12 Dated this 19th day of July, 2012.

13
14 

15 Marsha J. Pechman
16 United States District Judge
17
18
19
20
21
22
23
24